

LAW OFFICES  
**GALASSO & ASSOCIATES, LP**  
P.O. BOX 26503  
AUSTIN, TEXAS 78755-0503  
Telephone 512-306-8533  
Facsimile 512-306-8559

**FACSIMILE COVER SHEET**

**RECEIVED**

**MAR 27 2008**

**PCT LEGAL  
ADMINISTRATION**

**Date:** March 27, 2008

**To:** Office of PCT Legal Administration – Richard M. Ross  
United States Patent & Trademark Office

**Fax No.:** 571-273-8300 and 571-273-0459

**From:** Martha Rocha for Raymond M. Galasso

**Re:** PETITION FOR REVIVAL  
In re Application of Brandon L. Hudgeons et al.  
U.S. Application No.: 10/516,724  
PCT No.: PCT/US03/13745

**Number of Pages (including Cover Sheet):** 15

**Message:**

For filing, please find a Petition for Revival of an Application for Patent Abandoned Unintentionally under 37 CFR.1.137(b).

Thank you.

**CONFIDENTIALITY NOTE**

*The pages accompanying this facsimile transmission contain information from the law office of Galasso & Associates, LP and are confidential and privileged. The information is intended to be used by the individual(s) or entity(ies) named on this cover sheet only. If you are not the intended recipient be aware that reading disclosing copying distribution or use of the contents of this transmission is prohibited. Please notify us immediately if you have received this transmission in error at the number listed above and return the document to us via regular mail.*

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Brandon L. Hudgeons et al.

By the Examiner: Not yet assigned

Serial No.: 10/516,724

International Serial No.: PCT/US03/13745

International Filing Date: May 1, 2003

Title: INTERACTIVE MULTI-MEDIA SYSTEM

Attention: Office of Petitions  
Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

## CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being transmitted by facsimile on the date shown below to the Attention: Office of Petitions, Mail Stop Petition, Commissioner for Patents, at (571) 273-8300 on this the 27 day of March 2008.

Type or Print Name Martha RochaSignature Martha Rocha

Dear Sir or Madam:

**PETITION FOR REVIVAL OF AN APPLICATION  
FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR. 1.137(b)**

Applicant submits this Petition under 37 CFR 1.137 to reinstate Serial No. 10/516,724 to active status.

The above-identified application became abandoned on November 14, 2007 for failure to file a timely and proper reply to a Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) mailed March 8, 2006 by the United States Patent and Trademark Office.

**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

NOTE: A grantable petition requires the following items:

- (1) Petition fee
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

## 1. Petition fee

☒ small entity - fee \$ 770.00 37 CFR 1.17(m). Applicant claims small entity status. See 37 CFR 1.27. The Commissioner is hereby authorized to charge the fees associated with this communication to Galasso & Associates Deposit Account No. 50-3446 under Reference No. 1590.00002.

## PATENT

☐ other than small entity - fee \$ \_\_\_\_\_ (37 CFR 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above-noted action in the form of Response to Notification of Missing Requirements (Missing Parts Notice (905)) (identify type of reply):

☐ has been filed previously on \_\_\_\_\_.

☒ is enclosed herewith.

B. The issue fee and publication fee (if applicable) of \$ \_\_\_\_\_.

☐ has been paid previously on \_\_\_\_\_.

☐ is enclosed herewith.

3. Terminal disclaimer with disclaimer fee

☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d) of \$ \_\_\_\_\_ for a small entity or \$ \_\_\_\_\_ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. **APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION.**

Applicant unintentionally missed the deadline for filing a response to a Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office mailed March 8, 2006. The deadline for responding to such Notice was May 8, 2006. The entire delay in filing a Response to the Notice until the filing of this grantable petition under 37 CFR 1.137(b) was unintentional.

Enclosed herewith is a Response to the Notification of Missing Requirements and a fully executed Declaration of the inventors, identifying the application by the international application number and international filing date.

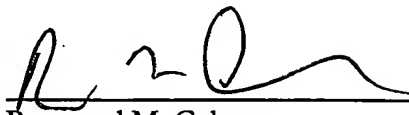
The Applicant has now met all the requirements of 35 U.S.C. 371 by filing the necessary documents and paying the required fees.

Applicant respectfully requests that the United States National application be revived and reinstated. Applicant respectfully request prompt favorable action.

PATENT

Respectfully submitted,

By:

  
Raymond M. Galasso  
Reg. No. 37,832

GALASSO & ASSOCIATES, LP  
P.O. Box 26503  
AUSTIN, TEXAS 78755-0503  
TELEPHONE: (512) 306-8533  
FACSIMILE: (512) 306-8559 FAX

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Brandon L. Hudgeons et al.

By the Examiner: Not yet assigned

Serial No.: 10/516,724

International Serial No.: PCT/US03/13745

Title: INTERACTIVE MULTI-MEDIA SYSTEM

International Filing Date: May 1, 2003

Attention: Office of Petitions  
Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

## CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being transmitted by facsimile on the date shown below to the Attention: Office of Petitions, Mail Stop Petition, Commissioner for Patents, at (571) 273-8300 on this the 27 day of March, 2008.

Type or Print Name Martha RochaSignature Martha Rocha

Dear Sir or Madam:

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS  
UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE**

In response to the Notification of Missing Requirements ("Notice") mailed March 8, 2006, applicant files his response.

The Notice states that an oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and International filing date must be furnished. The current oath or declaration of record does not comply with 37 CFR 1.497(a) and (b) in that it is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.

Applicant files herewith a fully executed Declaration and Power of Attorney of the inventors which properly identifies the application by the International application number and International filing date in accordance with either 37 CFR 1.66 or 37 CFR 1.68.

Applicant has now furnished the Office with all items listed in the Notice and has completed the requirements for acceptance under 37 U.S.C. 371.

Respectfully submitted,

By:

Raymond M. Galasso  
Reg. No. 37,832

GALASSO & ASSOCIATES, LP  
P.O. BOX 26503  
AUSTIN, TEXAS 78755-0503  
TELEPHONE: (512) 306-8533  
FACSIMILE: (512) 306-8559 FAX

Mar 06 2008 4:19PM HP LASERJET FAX

p. 1

233-0544

## PATENT APPLICATION

**RULES 63 AND 67 (37 C.F.R. 1.63 and 1.67)  
DECLARATION AND POWER OF ATTORNEY**

**FOR UTILITY/DESIGN/CIP/PCT NATIONAL APPLICATIONS**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name; and

I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **INTERACTIVE MULTI-MEDIA SYSTEM** the specification of which: (mark only one)

- ☐ (a) is attached hereto.
- ☐ (b) was filed on \_\_\_\_\_ as Application Serial No. \_\_\_\_\_ and was amended on \_\_\_\_\_ (if applicable)
- ☐ (c) was filed as PCT International Application No. PCT/\_\_\_\_\_ on \_\_\_\_\_ and was amended on \_\_\_\_\_ (if applicable).
- ☐ (d) was filed on \_\_\_\_\_ as Application Serial No. \_\_\_\_\_ and was issued a Notice of Allowance on \_\_\_\_\_.
- ☒ (e) was filed as PCT International Application No. PCT/US03/13745 on May 1, 2003 (international filing date); and assigned U.S. Application Serial No. 10/516,724.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims as amended by any amendment referred to above or as allowed as indicated above.

I acknowledge the duty to disclose all information known to me to be material to the patentability of this application as defined in 37 CFR § 1.56. If this is a continuation-in-part (CIP) application, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose to the Office all information known to me to be material to patentability of the application as defined in 37 CFR § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this CIP application.

I hereby claim foreign priority benefits under 35 U.S.C. § 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate filed by me or my assignee disclosing the subject matter claimed in this application and having a filing date (1) before

Mar 06 2008 4:19PM HP LASERJET FAX

P.2

## PATENT APPLICATION

that of the application on which my priority is claimed or, (2) if no priority is claimed, before the filing date of this application:

PRIOR FOREIGN PATENTS					
Number	Country	Month/Day/Year Filed	Date first laid-open or Published	Date patented or Granted	Priority Claimed Yes No

I hereby claim the benefit under 35 U.S.C. § 120/365 of any United States application(s) listed below and PCT international applications listed above or below:

PRIOR U.S. OR PCT APPLICATIONS

<u>Application No. (series code/serial no.)</u>	<u>Month/Day/Year Filed</u>	<u>Status(pending, abandoned, patented)</u>
PCT/US03/13745	May 1 2003	Pending

I hereby appoint Raymond M. Galasso, Reg. No. 37,832, as my attorney and/or agent, with full power of substitution and revocation, to prosecute this application, provisionals thereof, continuations, continuations-in-part, divisionals, appeals, reissues, substitutions, and extensions thereof and to transact all business in the United States Patent and Trademark Office connected therewith, to appoint any individuals under an associate power of attorney and to file and prosecute any international patent application filed thereon before any international authorities, and I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/organization who/which first sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct them in writing to the contrary.

Please address all correspondence and direct all telephone calls to:


Raymond M. Galasso  
Galasso & Associates, LP  
P.O. Box 26503  
Austin, Texas 78755-0503  
(512) 306-8533 telephone  
(512) 306-8559 fax

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that

## PATENT APPLICATION

these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

## NAMED INVENTOR(S)

1	Brandon Lee Hudgeons		3/24/08	
	<b>Full Name</b>			<b>Inventor's Signature</b>
	3413 Bridle Path Austin, TX 78703			U.S.
	<b>Residence</b> (city, state, country)			<b>Citizenship</b>
Same as Residence Address <b>Post Office Address</b> (include zip code)				
2	Marcus Adam Shaftel			
	<b>Full Name</b>			<b>Inventor's Signature</b>
	6504 Brownwood Court Austin, TX 78731			U.S.
	<b>Residence</b> (city, state, country)			<b>Citizenship</b>
Same as Residence Address <b>Post Office Address</b> (include zip code)				
3	Julia Heard			
	<b>Full Name</b>			<b>Inventor's Signature</b>
	4902A Rowena Street Austin, TX 78751			U.S.
	<b>Residence</b> (city, state, country)			<b>Citizenship</b>
Same as Residence Address <b>Post Office Address</b> (include zip code)				




Mar 10 08 02:25p

TICOM GEOMATICS

5123453751

P. 4

## PATENT APPLICATION

	Same as Residence Address Post Office Address (include zip code)		
2	Marcus Adam Shaftel		10 MAR 08
	Full Name		
	6504 Brownwood Court Austin, TX 78731		
	Residence (city, state, country)		Citizenship
	Same as Residence Address Post Office Address (include zip code)		
3	Julia Heard		
	Full Name		
	4902A Rowena Street Austin, TX 78751		
	Residence (city, state, country)		Citizenship
	Same as Residence Address Post Office Address (include zip code)		

(FOR ADDITIONAL INVENTORS, check here ☐ and add additional sheet for inventor information regarding signature, name, date, citizenship, residence and address)

## NAMED INVENTOR(S) CONTINUED

4	Jefferson Blake West		
	Full Name		
	4517 Ave. B Austin, TX 78751		
	Residence (city, state, country)		Citizenship
	Same as Residence Address Post Office Address (include zip code)		

Mar 06 2008 4:19PM HP LASERJET FAX

p.3

## PATENT APPLICATION

these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

## NAMED INVENTOR(S)

1	Brandon Lee Hudgeons		
	<b>Full Name</b>	<b>Inventor's Signature</b>	<b>Date</b>
	3413 Bridle Path Austin, TX 78703		U.S.
	<b>Residence (city, state, country)</b>		<b>Citizenship</b>
2	Same as Residence Address		
	<b>Post Office Address (include zip code)</b>		
	Marcus Adam Shaftel		
	<b>Full Name</b>	<b>Inventor's Signature</b>	<b>Date</b>
3	6504 Brownwood Court Austin, TX 78731		U.S.
	<b>Residence (city, state, country)</b>		<b>Citizenship</b>
	Same as Residence Address		
	<b>Post Office Address (include zip code)</b>		
3	Julia Heard		
	<b>Full Name</b>	<b>Inventor's Signature</b>	<b>Date</b>
	5525 Woodview Ave Austin, TX 78756		U.S.
	<b>Residence (city, state, country)</b>		<b>Citizenship</b>
3	Same as Residence Address		
	<b>Post Office Address (include zip code)</b>		

1590.00002

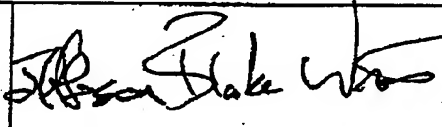
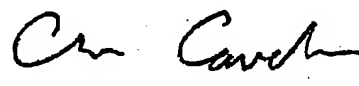
Mar 06 2008 4:19PM HP LASERJET FAX

p. 4

## PATENT APPLICATION

(FOR ADDITIONAL INVENTORS, check here ☐ and add additional sheet for inventor information regarding signature, name, date, citizenship, residence and address)

## NAMED INVENTOR(S) CONTINUED

4	Jefferson Blake West		3/7/08
	<b>Full Name</b>	<b>Inventor's Signature</b>	<b>Date</b>
	4517 Ave. B Austin, TX 78751		U.S.
	<b>Residence (city, state, country)</b>		<b>Citizenship</b>
Same as Residence Address <b>Post Office Address (include zip code)</b>			
5	Christopher Cavello		3/7/08
	<b>Full Name</b>	<b>Inventor's Signature</b>	<b>Date</b>
	1500 Inglewood Austin, TX 78741		U.S.
	<b>Residence (city, state, country)</b>		<b>Citizenship</b>
Same as Residence Address <b>Post Office Address (include zip code)</b>			



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/516,724	Brandon L Hudgeons	1590.00002

INTERNATIONAL APPLICATION NO.
-------------------------------

PCT/US03/13745

I.A. FILING DATE	PRIORITY DATE
05/01/2003	05/01/2002

Raymond M Galasso  
Simon Galasso & Frantz  
P O Box 26503  
Austin, TX 78755-0503

CONFIRMATION NO. 9883

## 371 FORMALITIES LETTER



\*OC000000018228345\*

Date Mailed: 03/08/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 12/02/2004
- Copy of the International Search Report filed on 12/02/2004
- Copy of IPE Report filed on 12/02/2004
- Oath or Declaration filed on 12/02/2004
- Small Entity Statement filed on 12/02/2004
- U.S. Basic National Fees filed on 12/02/2004
- Priority Documents filed on 12/02/2004
- Specification filed on 12/02/2004
- Claims filed on 12/02/2004
- Abstracts filed on 12/02/2004
- Drawings filed on 12/02/2004

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

VONDA M WALLACE

Telephone: (703) 308-9140 EXT 225

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/516,724	PCT/US03/13745	1590.00002

FORM PCT/DO/EO/905 (371 Formalities Notice)



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/516,724	Brandon L Hudgeons	1590.00002
INTERNATIONAL APPLICATION NO.		
PCT/US03/13745		
I.A. FILING DATE	PRIORITY DATE	
05/01/2003	05/01/2002	

Raymond M Galasso  
Simon Galasso & Frantz  
P O Box 26503  
Austin, TX 78755-0503

CONFIRMATION NO. 9883  
371 ABANDONMENT/TERMINATION  
LETTER



Date Mailed: 11/14/2007

**NOTIFICATION OF ABANDONMENT**

The United States Patent and Trademark Office in its capacity as a Designated / Elected Office (37 CFR 1.495) has made the following determination:

- failed to respond to missing part notice ( 905)mailed 03/08/06

Therefore, the above identified application failed to meet the requirements of 35 U.S.C. 371 and 37 CFR 1.495, and is ABANDONED AS TO THE UNITED STATES OF AMERICA.

VONDA M WALLACE

Telephone: (703) 308-9140 EXT 225

**27 FEB 2006**

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for P.  
United States Patent and Trademark  
P.O. Box  
Alexandria, VA 22313  
www.uspto.gov

Raymond M. Galasso  
SIMON, GALASSO & FRANTZ PLC  
P.O. Box 26503  
Austin, Texas 78755-0503

In re Application of:  
HUDGEONS, Brandon, et al.  
U.S. Application No.: 10/516,724  
PCT No.: PCT/US03/13745  
International Filing Date: 01 May 2003  
Priority Date: 01 May 2002  
Attorney's Docket No.: 1590.00002  
For: INTERACTIVE MULTI-MEDIA SYSTEM

DECISION ON RENEWED  
PETITION FOR REVIVAL  
UNDER 37 CFR 1.137(b)

In a decision mailed on 20 December 2005, applicant's petition under 37 CFR 1.137(b) was dismissed without prejudice for failure to submit all the requirements of a grantable petition. Specifically, applicant had not submitted the required basic national fee or the petition fee.

On 14 February 2006, applicants filed the renewed petition considered herein. The renewed petition was accompanied by a payment of the required basic national fee and petition fee. Applicant has therefore satisfied all the requirements for a grantable petition under 37 CFR 1.137(b).

The renewed petition for revival under 37 CFR 1.137(b) is **GRANTED**.

It is noted that the declaration filed by applicants on 02 December 2004 is not acceptable under 37 CFR 1.497 in that it is not directed to the present application. Rather, the declaration specifically executes the U.S. provisional application to which priority was claimed in the international application.

The application is being forwarded to the National Stage Processing Branch of the Office Of PCT Operations for further processing in accordance with this decision, including the mailing of a Notification Of Missing Requirements (Form PCT/DO/EO/905) requiring submission of an oath or declaration acceptable under 37 CFR 1.497.

Richard M. Ross  
PCT Petitions Attorney  
Office of PCT Legal Administration  
Telephone: (571) 272-3296  
Facsimile: (571) 273-0459